

THE MONTHLY MEETING OF BERKELEY COUNTY COUNCIL is scheduled to be held on **MONDAY AUGUST 24, 2009**, following Public Hearings and the meetings of the Committees on Finance, Community Services and Public Works and Purchasing at 6:00 p.m., in the **ASSEMBLY ROOM, BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCKS CORNER, S. C.**

CALL TO ORDER

APPROVAL OF MINUTES:

Public Hearings: Bills Numbered: 09-23, 09-24 and 09-25
Regular Council Meeting

July 27, 2009
July 27, 2009

PUBLIC DISCUSSION - Requests to be heard must be made prior to call to Order and comments must be limited to Agenda items only.

COMMENTS ON ANY PUBLIC DISCUSSION ITEM WILL BE LIMITED TO THREE (3) MINUTES PER SPEAKER. (A TOTAL OF 30 MINUTES WILL BE ALLOTTED FOR THIS PUBLIC DISCUSSION PERIOD.)

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversary situations involving the assertion against the County of a claim.

CHAIRMAN OF COUNTY COUNCIL

THIRD READING:

1. Bill No. 09-26, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Tommy Boals**, 1134 Clements Ferry Road, Wando, **TMS #263-00-01-013** (31.86 acres) **from F-1, Agricultural District to PD-MU, Planned Development Mixed Use District.** Council District No. 8.
[Recommended by Committee on Land Use]

2. Bill No. 09-27, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Bob Glover** for Maggie Sass, 1055 Old Back River Road, Goose Creek, Portion of **TMS #252-03-08-015** (0.77 acres) **from R-1, Single Family Residential District to RNC, Rural and Neighborhood Commercial.** Council District No. 3.
[Recommended by Committee on Land Use]

3. **Bill No. 09-28**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Larry Windham**, located at intersection of Hoover and United Drive, Huger, **TMS #250-00-00-008** (7.0 acres) **from R-2, Manufactured Residential District to Flex-1, Agricultural District**. Council District No. 8.

[Recommended by Committee on Land Use]

4. **Bill No. 09-29**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Bernard and Patricia Casey**, 4812 N. Highway 52, St. Stephen, **TMS #016-00-04-039** (2.09 acres) **from GC, General Commercial District to RNC, Rural & Neighborhood Commercial District**. Council District No. 7.

[Recommended by Committee on Land Use]

5. **Bill No. 09-31**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **E. J. Meadows, Jr.**, 1349 North Highway 52, **TMS #103-15-01-002**, (.73 acres) **from F-1, Agriculture District to PD-MU, Planned Development Mixed Use District**. Council District No. 8.

[Recommended by Committee on Land Use]

6. **Bill No. 09-32**, an **ordinance** to amend Ordinance No. 09-06-31 providing for the fiscal year beginning **July 1, 2009, and ending June 30, 2010**, for the **Sangaree Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Sangaree Special Tax District during the fiscal year.

[Recommended by Committee on Finance]

7. **Bill No. 09-37**, an **ordinance** authorizing the execution and delivery of a second amendment to fee agreement between Berkeley County, South Carolina and **RG-MWV, LLC**; and matters relating thereto.

[Recommended by Committee on Finance]

SECOND READING:

1. **Bill No. 09-33**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Forsberg Engineering** for GSR Jedburg LLC, located at the intersection of Jedburg Road & Drop Off Drive, Summerville, **TMS #207-00-01-090** (31.44 acres), **from LI, Light Industrial District to PDRC, Planned Development Regional Commercial District**. Council District No. 7.

[Recommended by Committee on Land Use]

2. **Bill No. 09-34**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Henrietta Acton**, 2087 Highway 45, Pineville, portion of **TMS #015-00-03-022** (3.3 acres) **from RNC, Rural and Neighborhood Commercial District to F-1, Agricultural District**. Council District No. 7.

[Recommended by Committee on Land Use]

3. **Bill No. 09-35**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Bonnie Jean & Jonathan Craven**, 209 Eden Lane, Moncks Corner, **TMS #141-00-02-010** (12.05 acres) **from PDMU, Planned Development Mixed Use District to F-1, Agricultural District**. Council District No. 6.
[Recommended by Committee on Land Use]

4. **Bill No. 09-36**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Joseph McComb** for the Headless Pelican, 1006 Fogarty Lane, Wando, **TMS #263-00-03-080** (0.69 acres) **from R-2, Manufactured Residential District to GC, General Commercial District**. Council District No. 2.
[Recommended by Committee on Land Use]

FIRST READING:

1. **Bill No. 09-38**, an **ordinance** to amend the Code of Ordinances, Berkeley County, South Carolina, regarding the **regulation of the use of public and private water distribution systems**.
[Recommended by Committee on Water and Sanitation]

2. **Bill No. 09-39**, an **ordinance** authorizing the conversion of a lease agreement pursuant to Title 4, Chapter 12 of the Code of Laws of South Carolina, 1976, as amended, to a Fee Agreement pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended, and approving the assignment of the interests of **Pig Center, LLC**, in such converted fee agreement to **JL WOODE LTD., LLC** or an entity or entities owned in whole or part by **JL WOODE LTD., LLC** or one or more of its principals and subsequent assignments related thereto, including through the use of one or more qualified intermediaries; the entering into of certain agreements including the aforesaid fee agreement; and others matters related thereto.
[Recommended by Committee on Finance]

RESOLUTIONS:

1. **RESOLUTION** providing for the **Transfer of Funds** in the **2009-2010 Berkeley County Budget** for County purposes other than as specified in said Budget.
[Recommended by Committee on Finance]

REPORTS FROM STANDING COMMITTEES:

1. **Committee on Finance.**
Council Member, Mr. Jack H. Schurlknight, Chairman.
 - a. Moving from the State Health Plan.
 - b. Upgrade of position in Council Department.

2. Committee on Land Use.

Council Member, Mr. Phillip Farley, Chairman.

- a. Recommendation for denial of Request by David and Joanne Wenger, 101 Tall Pines Road, Ladson, TMS #242-03-03-002 (0.52+/- acres), from R1, Single Family Residential District to OI, Office and Institutional District. Council District No. 5.**

3. Committee on Public Works and Purchasing.

Council Member, Mr. Robert O. Call, Jr., Chairman.

- a.** Town of Moncks Corner request to waive warranty period requirements for Scarlett Oaks Court, Sterling Oaks.
- b.** Agreement with Blue Source.
- c.** Sale of Landfill Gas.
- d.** Pimlico and Bonneau Elevated Storage Tank Painting.
- e.** Chemicals used in the Water and Wastewater Treatment Operations.
- f.** Medical Supplies and Medications for EMS Department.

4. Committee on Justice and Public Safety.

Council Member, Mr. Steve C. Davis, Chairman.

- a.** Restructuring of the Emergency Preparedness Department and Risk Management Department. (Department to be renamed The Department of Emergency and Risk Management).

5. Committee on Water and Sanitation.

Council Member, Mr. Timothy J. Callanan, Chairman.

6. Committee on Planning and Development.

Council Member, Mrs. Cathy S. Davis, Chairman.

7. Committee on Community Services.

Council Member, Mr. Caldwell Pinckney, Jr., Chairman.

- a.** Approval of grant application for program to provide rental assistance funds to families and individuals in Berkeley County who are homeless or at risk of becoming homeless.
- b.** Approval of grant application for funding to support the Homeless Management Information System.

8. Committee on Human Services.

Council Member, Mr. Dennis Fish, Chairman.

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

ACCOMMODATIONS TAX ADVISORY COMMITTEE

AERONAUTICS COMMISSION

BCD RURAL TRANSPORTATION MANAGEMENT ASSOCIATION

DEVON FOREST SPECIAL TAX DISTRICT

LIBRARY BOARD
MENTAL HEALTH BOARD
SANGAREE SPECIAL TAX DISTRICT
SPECIAL FIRE TAX DISTRICT ADVISORY COMMISSION
TALL PINES SPECIAL TAX DISTRICT
TAX ASSESSMENT REVIEW BOARD
ZONING APPEALS BOARD

CORRESPONDENCE

UNFINISHED BUSINESS

NEW BUSINESS

ANNOUNCEMENTS

THE SEPTEMBER 2009, REGULAR MEETING OF BERKELEY COUNTY COUNCIL WILL BE HELD ON MONDAY SEPTEMBER 28, 2009, IMMEDIATELY FOLLOWING PUBLIC HEARINGS AND OTHER COMMITTEE MEETINGS AT 6:00 PM, IN THE ASSEMBLY ROOM OF THE BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCKS CORNER, S. C.

ADJOURNMENT

EXECUTION OF DOCUMENTS BY COUNCIL

PUBLIC DISCUSSION

COMMENTS ON ANY PUBLIC DISCUSSION ITEM WILL BE LIMITED TO THREE (3) MINUTES AND MAY BE ON ANY MATTER.

August 19, 2009
S/Barbara B. Austin, CCC
Clerk of County Council